

DOI Work Activity 69: Process Litigation

Program Area:	Litigation
End Outcome Goal:	All goal where applicable
Intermediate Outcome:	All intermediate outcomes where applicable
DOI Sub process:	5b – Sustain Organizations (Administrative/Legal)

Examples/Notes: This activity is used for all litigation related to any End Outcome Goal or Intermediate Outcome Strategy.

Work Activity Description: Litigation is the formal process in a court or administrative agency in which legal rights and obligations are contested by the parties and decided by a judge. This activity covers any and all work associated with administrative or judicial litigation related to the any end outcome goal, including litigation support provided by the bureaus and offices, legal representation provided by the Office of the Solicitor, and adjudications provided by the Office of Hearings and Appeals.

Examples include litigation involving wildfire management (non-WUI), natural resource damage assessments, threatened and endangered species, and wild horses and burros. **Excluded are personnel-related litigation (which is covered by DOI Work Activity 76 – Administer Employee and Labor Relations, and DOI Work Activity 78 – Administer Internal Civil Rights) employee debt-related cases (which are covered by DOI Work Activity 62 – Perform Financial Management Operations), and FERC-related litigation (which is covered by DOI Work Activity 9U –Accounting for Municipal Hydropower Activities Costs (Under Administration of Part 1 of the Federal Powers Act) and DOI Work Activity 9W – Accounting for Non-Municipal Hydropower Activities Costs (Under Administration of Part 1 of the Federal Powers Act)).**

Work activities include the following when done in the context of litigation: reviewing case files and pleadings; factual investigations and legal research; preparing legal documents, testimony, and exhibits; responding to discovery requests; participating in direct negotiations or other ADR; participating in or conducting hearings (including related travel and court reporting costs); and preparing or reviewing judicial orders and decisions.

Legal tasks outside the context of litigation are covered by the specific programmatic activities to which they relate, not by DOI Work Activity 69. These include drafting or reviewing legislation and regulations, seeking or providing legal advice, contracting and contract administration, and ADR intended to head off litigation. Also excluded from DOI Work Activity 69 is the cost of complying with decisions from administrative or judicial tribunals.

For cases where the bureau or office is responding to litigation filed by others, time should be charged to this activity once a complaint, notice of appeal, or other initiating document has been filed with the administrative or judicial tribunal. For cases where the bureau or office is initiating litigation against others, time should be charged to this activity once any preliminary review has been completed and a decision has been made by government attorneys (Solicitor's Office or Department of Justice) to initiate litigation.

Output: cases worked	Unit of Measure: Number of cases worked
Inputs:	Cost Drivers:

System Interfaces:

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